



Mike DeWine, Governor

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Fiscal Administrative Procedure Manual Transmittal Letter (FAPMTL) No. 433

To: Fiscal Administrative Procedure Manual Holders
From: Kimberly Hall, Director
Subject: **County organizational structure and family services duties.**

As the result of an internal review, the Ohio Department of Job and Family Services (ODJFS) is rescinding and replacing the following rules with new Administrative Code rule 5101:9-1-16 "County Organizational Structure and Family Services Duties."

5101:9-1-16 "County Organization and Fiscal Administration."

5101:9-1-16.1 "Joint County Department of Job and Family Services."

5101:9-1-22 "Changing Organizational Structure."

This change provides a condensed format for relevant and consistent guidance regarding county organizational structure and duties.

Please direct inquiries to the CFIS Help Desk CFIS_HELP_DESK@jfs.ohio.gov .

Instructions:

Location	Remove	Insert
Chapter 1	5101:9-1-16 (effective 9/27/2012)	5101:9-1-16 (effective 11/26/2020)
Chapter 1	5101:9-1-16.1 (effective 9/27/2012)	N/A
Chapter 1	5101:9-1-22 (effective 4/1/2014)	N/A

5101:9-1-16**County organizational structure and family services duties.**

(A) The Ohio department of job and family services (ODJFS) currently recognizes, the following county family services agency (CFSA) organizational structures as designated by the board of county commissioners (BOCC), in accordance with sections 307.981 and 329.40:

- (1) County department of job and family services (CDJFS);
- (2) Child support enforcement agency (CSEA);
- (3) Public children services agency(PCSA);
- (4) Any combination of a CDJFS and one or more county organizational structures included in this paragraph; or
- (5) A joint county CDJFS as outlined in this rule.

The BOCC has designated each agency as a county family services agency (CFSA) that carries out family services duties as defined in section 307.981 of the Revised Code. Family services duties do not include activities funded by the United States department of labor.

(B) The responsibilities for each recognized CFSA is as follows:

(1) The CDJFS has or may have the responsibility of administering the following family services duties and related activities. While ODJFS is required to assure that statewide mandated services are available in all eighty-eight counties, there may be local flexibility with respect to the Title XX social services plan and prevention, retention and contingency (PRC) plans filed by each county:

(a) Income maintenance (IM) programs and activities that include:

(i) Title XIX medicaid administration and related programs;

(ii) Food assistance (FA) administration and employment training; and

(iii) Other income support programs administered by ODJFS and governed by the department of health and human services (DHHS) and the United States department of agriculture (USDA).

(b) Family and adult social services that include:

(i) Title XX social services block grant;

(ii) Adult protective services (APS);

(iii) Child care; and

(iv) Other adult and family support programs administered by ODJFS.

(c) Temporary assistance for needy families (TANF) activities that include:

(i) Ohio works first (OWF) work activities;

(ii) PRC;

(iii) Training; and

(iv) Other approved TANF allowable programs and activities.

(2) The CSEA has the responsibility of administering the family services duties and activities related to Title IV-D child support program, which includes, but is not limited to:

(a) Locating noncustodial parents;

(b) Establishing paternity;

(c) Child and medical support establishment and modification;

(d) Support enforcement for children and medical support for payment collection; and

(e) Non-IV-D related activities such as:

(i) Title XIX, as it relates to support enforcement;

(ii) TANF Title IV-A activities;

(iii) Title IV-E, as it relates to paternity establishment, support order establishment activities;

(iv) Spousal support; and

(v) Special enforcement/employment projects in conjunction with OWF work activities.

(3) The PCSA has the responsibility of administering services activities for children in need of public care or protective services, as described in section 5153.16 of the Revised Code, which includes but is not limited to:

(a) Title IV-E foster care and adoption;

(b) Title IV-B child protective services activities;

(c) Federal chafee independent living;

(d) State child protective services;

(e) Title XIX medicaid activities related to children in custody of the PCSA;

(f) Title XX. (Although the PCSA is not responsible for administration of the Title XX program, the PCSA may administer Title XX activities in accordance with the county's approved Title XX plan and through an agreement with the local CDJFS); and

(g) Other children services programs administered by ODJFS.

(4) Combined agencies:

A BOCC may elect to combine any of the organizational structures as outlined in this rule with the CDJFS as follows:

(a) CSEA programs and activities where the board of county commissioners has designated the CDJFS as the local agency assigned the child support program functions;

(b) PCSA programs and activities where the board of county commissioners has designated the CDJFS as the local agency assigned the children services program functions;

(c) In addition to the family services duties listed in this rule, the CDJFS may, in accordance with section 329.05 of the Revised Code, may administer or assist in administering other state or local family services duties supported wholly or in part by public funds from any source provided by agreement between the BOCC and the agency in which the administration of such activity is vested; and

(d) When appointed by the local workforce area's chief elected officials in accordance with rule 5101:9-31-01 of the Administrative Code, the CDJFS will have the responsibility of providing workforce development

activities, as authorized by the Workforce Innovation and Opportunity Act of 2014.

(5) Joint CDJFS:

As outlined in section 329.40 of the Revised Code, a BOCC, by entering into a written agreement, may form a joint CDJFS to perform the duties, provide the services, and operate the programs required under this chapter.

(a) Each BOCC entering into the agreement shall provide written notice of their intent to form a joint CDJFS to the director of ODJFS.

(i) Notification shall include a copy of the BOCC resolution of intent to form a joint CDJFS.

(ii) The notification shall be received by ODJFS no less than ninety days before the agreement's effective date.

(iii) The agreement shall take effect not earlier than the first day of the calendar quarter following the ninety-day notice period.

(b) The BOCC's of the counties forming the joint county department shall collectively constitute the board of directors of the joint CDJFS.

(c) On the effective date of the agreement, the board of directors shall take control of and manage the joint county department subject to this chapter and all other sections of the Revised Code governing the authority and responsibilities of a single board of county commissioners in the operation of a single CDJFS.

(d) All rules, regulations and policies that govern a CDJFS shall also be applicable to a joint CDJFS.

(C) Changes to organizational structure:

(1) The BOCC may initiate a change to the organizational structure of a county family services agency (CFSAs). The new organizational structure must be in accordance with paragraph (A) of this rule. The BOCC may:

(a) Merge or combine CFSAs; or

(b) Separate a CFSAs or workforce development function from a combined agency and create a stand alone agency.

(2) Notification of change:

The CFSA shall provide written notice of the intent to change the organizational structure to ODJFS. The notification of intent to change any organizational structure of the agency shall be submitted by the CFSA to the ODJFS bureau of county finance and technical assistance (BCFTA). BCFTA will provide the notification to the ODJFS office of fiscal and monitoring services (OFMS) and, if applicable, the appropriate ODJFS program area.

- (a) Notification shall include a copy of the BOCC resolution of intent to change the county agency's organizational structure.
- (b) The notification shall be received by ODJFS no less than ninety days before the proposed organizational change date.
- (c) The organizational change shall take effect no earlier than the first day of the quarter following the ninety-day notice period.

(3) Action plan:

- (a) Agencies shall develop an action plan outlining the changes necessary to remain in compliance with the ODJFS federally approved cost allocation plan (CAP).
- (b) Final plans must be submitted by the CFSA to the BCFTA no later than sixty days before the organizational change date.
- (c) Plans shall include information and timelines regarding necessary changes to the random moment sample (RMS) time study and associated cost pools to ensure compliance with Chapter 5101:9-7 of the Administrative Code.

Replaces: 5101:9-1-16, 5101:9-1-16.1, 5101:9-1-22

Effective: 11/26/2020

CERTIFIED ELECTRONICALLY

Certification

11/16/2020

Date

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